

REMARKS

Claims 1-16 were examined by the Office, and all claims are rejected. With this response claims 1, 2 and 13-16 are amended, and claims 17 and 18 are added. Support for the amendments and new claims can be found at least at page 3, lines 15-20 of the specification. New claims 17 and 18 correspond to claims 13 and 14 in means-plus-function format. Applicant respectfully requests reconsideration and withdrawal of the rejections in light of the following remarks.

Drawings

Applicant would like to thank Examiner Ho for his helpful comments on December 19, 2006 in clarifying the objection to the drawings. Applicant respectfully agrees with Examiner Ho that Figures 1 and 2 on page 1 of the drawings do not require specified labels, because each element in Figures 1 and 2 has an identifying reference numeral. Therefore, the drawings are not amended with this response.

Claim Rejections Under § 102

In section 3, on page 3 of the Office Action, claims 1-2, 4-11 and 13-16 are rejected under 35 U.S.C. § 102(e) as anticipated by Robarts et al. (U.S. Appl. Publ. No. 2004/0002843). Independent claim 1 is amended to particularly point out and distinctly claim the invention in a manner that is believed to distinguish claim 1 from Robarts. Applicant respectfully submits that claim 1 as amended is not disclosed or suggested by Robarts, because Robarts fails to disclose or suggest all of the limitations recited in claim 1 as amended. Claim 1 is amended to clarify that an initiation event is for establishing a simulated communication, and the simulated message is both presented via a standard communication functionality of a terminal device and has the appearance of a typical message of the terminal device. The amendments clarify that the simulated message and communication appear to a user of the terminal device as a normal

communication, and in contrast to the teachings of Robarts, do not appear as a separate and distinct functionality of the terminal device.

In contrast to the limitations recited in claim 1, Robarts in Figure 4 shows an example of a communication with a simulated phenomenon in a game. See Robarts paragraph [0044]. A response to the user initiated communication is provided in an answer area 402 when the response is received from the simulation engine. However, the answer area 402 does not represent a standard communication functionality of the terminal device, because it is related to the game, and not the standard functions of the communication device. Furthermore, any response by the simulation engine will not have the appearance of a typical message of the terminal device, i.e. phone call or short message, because the response is specific to the interface of the game. Therefore, for at least this reason the amendments to claim 1 distinguish the patentable subject matter of claim 1 from Robarts, since Robarts fails to disclose or suggest all of the limitations recited in amended claim 1.

Claims 2, and 4-11 ultimately depend from independent claim 1, and are patentable over the cited reference at least in view of their dependencies.

Claim 13 contains limitations similar to those recited in claim 1, and is amended in a manner similar to claim 1. Therefore, for at least the reasons discussed above in relation to claim 1, claim 13 is not disclosed or suggested by Robarts.

Claims 14 and 15 ultimately depend from independent claim 13, and are patentable over the cited reference at least in view of their dependencies.

Claim 16 contains limitations similar to those recited in claim 1, and is amended in a manner similar to claim 1. Therefore, for at least the reasons discussed above in relation to claim 1, claim 16 is not disclosed or suggested by Robarts.

Claim Rejections Under § 103

In section 7, on page 11 of the Office Action claim 3 is rejected under 35 U.S.C. § 103(a) as unpatentable over Robarts in view of Liu et al. (U.S. Patent No. 6,134,514). Claim 3

ultimately depends from independent claim 1, and therefore is patentable over the cited references at least in view of its dependency.

In section 8, on page 11 of the Office Action claim 12 is rejected under 35 U.S.C. § 103(a) as unpatentable over Robarts in view of Brocket et al. (U.S. Patent No. 5,794,128). Claim 12 ultimately depends from independent claim 1, and therefore is patentable over the cited references at least in view of its dependency.

New Claims 17 and 18

New claim 17 contains limitations similar to those recited in independent claim 13, and therefore for at least the reasons discussed above in relation to claim 13, claim 17 is novel and nonobvious in view of the cited references.

New claim 18 depends from new independent claim 17, and therefore is novel and nonobvious over the cited references at least in view of its dependency.

Conclusion

The rejections of the Office Action having been shown to be inapplicable, withdrawal thereof is requested, and passage to issue of the present application is earnestly solicited. The undersigned hereby authorizes the Commissioner to charge deposit account 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,

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